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UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

In re

JAMES GIBBS,

Debtor(s).

Case No. 10-64039-A

Chapter 7

D.C. No. PD-1

NOTICE OF MOTION FOR RELIEF
 FROM AUTOMATIC STAY
 (11 U.S.C. § 362 and Bankruptcy Rule 4001)

JPMORGAN CHASE BANK, NATIONAL
 ASSOCIATION

LBR 4001-1 and 9014-1(f)(1)

Movant,

DATE: February 15, 2011

TIME: 1:30 p.m.

CTRM: 11

vs.

JAMES GIBBS, Debtor(s); and SHERYL
 ANN STRAIN, Chapter 7 Trustee,

2500 Tulare Street,
 Fresno, CA 93721

Respondents.

TO THE RESPONDENTS NAMED ABOVE:

PLEASE TAKE NOTICE that a hearing on the Motion for Relief From Automatic Stay brought by JPMorgan Chase Bank, National Association ("Movant"), will be heard in the courtroom of the Honorable Whitney Rimel in the above-captioned court, located at 2500 Tulare Street, Fresno, CA 93721, on February 15, 2011 at 1:30 p.m. This motion is based on the Motion for Relief From Automatic Stay, the Declaration in Support of Motion for Relief From

Automatic Stay, and the Notice of Motion for Relief From Automatic Stay, and on such further evidence and oral argument as may be presented to the court at the hearing.

PLEASE TAKE FURTHER NOTICE that the motion is being made pursuant to Local Bankruptcy Rule 4001-1 and 9014-1(f)(1), 11 United States Code section 362(d), and Federal Rules of Bankruptcy Procedure 4001.

PLEASE TAKE FURTHER NOTICE that any opposition to the granting of the motion shall be in writing, supported by written evidence, and shall be served on counsel for the Moving Party, Hieu T. Pham, Esq., Pite Duncan LLP, 4375 Jutland Drive, Suite 200 San Diego, CA 92177-0933, and filed with the Clerk by the Responding Party, at the United States Bankruptcy Court, 2500 Tulare Street, Fresno, CA 93721, not less than fourteen (14) calendar days preceding the noticed (or continued) date of hearing.

The opposition shall specify whether the responding party consents to the Court's resolution of the disputed material factual issues pursuant to FRCivP 43(e) as made applicable by FRBP 9017. If the responding party does not so consent, the opposition shall include a separate statement identifying each disputed material factual issue. The separate statement shall enumerate discretely each of the disputed material factual issues and cite the particular portions of the record demonstrating that a factual issue is both material and in dispute. Failure to file the separate statement shall be construed as consent to resolution of the motion and all disputed material factual issues pursuant to FRCivP 43(e). Movant hereby waives the time constraints set forth in Title 11 U.S.C. § 362(e) and consents to a hearing on the within Motion beyond the thirty (30) day time limitation required under the Bankruptcy Code.

PLEASE TAKE FURTHER NOTICE that unless written opposition and supporting evidence are timely filed with the Clerk of the Court, and served on the Moving Party, the court may strike untimely filed written opposition and resolve the matter without oral argument or impose sanctions.

Dated: January 4, 2011

PITE DUNCAN LLP

/s/ HIEU T. PHAM (CA SBN 265146)
HIEU T. PHAM
Attorneys for JPMORGAN CHASE
BANK, NATIONAL ASSOCIATION